

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

United States of America

v.

JAMES EDWARD MALONE

Defendant

Case No: 2:19-CR-00096

CONSENT TO APPEAR BY VIDEO OR AUDIO TELECONFERENCE

Pursuant to The CARES Act, H.R. 748, the Court's Standing Order 20-08, and Rule 5(f), Rule 10(c), and Rule 43(c)(1)(B) of the Federal Rules of Criminal Procedure, the Defendant hereby acknowledges Defendant has received and/or been read the indictment, information, or petition, that such charging instrument has been reviewed by Defendant with counsel, that Defendant understands the nature of the offenses charged, and that Defendant understands Defendant's right to appear in person for the initial appearance and arraignment. Acknowledging such, the Defendant hereby knowingly and voluntarily waives Defendant's right to appear in person and hereby consents to appearance by use of video teleconferencing, or by audio teleconferencing if video teleconferencing is not reasonably available, for the following:

- ☒ Detention hearings under 18 U.S.C. § 3142
- ☐ Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure
- ☐ Preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure
- ☐ Waivers of indictment Rule 7(b) of the Federal Rules of Criminal Procedure
- ☐ Arraignments under Rule 10 of the Federal Rules of Criminal Procedure
- ☐ Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure
- ☐ Pretrial release revocation proceedings under 18 U.S.C. § 3148
- ☐ Appearances under Rule 40 of the Federal Rules of Procedure

- ☐ Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure
- ☐ Proceedings under chapter 403 of title 18, United States Code (commonly known as the "Federal Juvenile Delinquency Act"), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.
- ☐ Felony pleas under Rule 11 of the Federal Rules of Criminal Procedure and felony sentencings under Rule 32 of the Federal Rules of Criminal Procedure upon a finding by the presiding district judge that the plea or sentencing cannot be further delayed without serious harm to the interests of justice.

James Malone w/Permission

Defendant¹

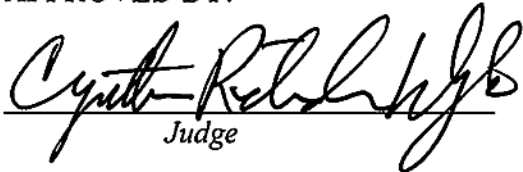
/s/Ilya I. Berenshteyn

Defendant's Attorney

5/19/2020

Date

APPROVED BY:


Judge

5/20/2020
Date

¹ Due to the COVID-19 pandemic, conformed signatures by permission will be accepted. If signed by permission, defense counsel represents that defendant gave express permission to apply his/her signature.